APPENDIX B

MEMORANDUMS OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING
GOVERNING PROCEDURES TO BE USED BY THE U.S. DEPARTMENT OF ENERGY AND THE
DEPARTMENT OF THE AIR FORCE FOR RADIO FREQUENCY COORDINATION IN THE STATE OF NEVADA

1. PURPOSE. The purpose of this Memorandum of Understanding (MOU) is to provide procedures for coordination of radio frequencies prior to assignment and for operations after assignment between the Department of Energy (DOE) and the Department of the Air Force (AF) in the area of Nevada designated as Air Force Test Ranges and the Nevada Test Site (NTS).

2. BACKGROUND. The Military Communications-Electronics Board (MCEB) has established a standard frequency coordination system, within the Department of Defense (DOD) to be employed at national and service test ranges. In this regard, the MCEB has established a DOD Area Frequency Coordinator (AFC)[1] for the area which encompasses the State of Nevada, the State of Idaho south 44 degrees north, and the State of Utah west of 111 degrees west. DOE, with major test facilities at NTS and at the Tonopah Test Range (TTR), has established a DOE AFC[2] for the State of Nevada to accomplish the same intended functions as the DOD AFC for the primary purpose of protecting frequencies used in support of DOE in Nevada.

   The AFC system is intended to minimize mutual, harmful electromagnetic interference and avoid frequency usage conflicts by means of realtime coordination techniques. It is recognized that coordination for more protection than the situation demands is a waste of effort, time, and money and that the assignment of any unnecessary coordination requirements cannot be justified. Effective coordination requires that the parties involved act together in a smooth, concerted way to provide the best solution to prevent operations from interfering with each other with the least expense and effort to the Government.

3. SCOPE. This agreement affects all frequency assignments that radiate or receive radio frequency (RF) energy under the control of DOE and DOD within the State of Nevada. This includes all airborne RF transmissions that are directed into the DOE and DOD areas of concern.

[1] DOD Area Frequency Coordinator, Nellis Air Force Base, Nevada 89191-5000

[2] U.S. Department of Energy, Nevada Operations Office, Information Management Division, Information Services Branch, P.O. Box 98518, Las Vegas, Nevada 89193-8518

4. RESPONSIBILITIES.

a. The DOE AFC is responsible for coordinating RF requirements in support of DOE operations in the State of Nevada with the DOD AFC on a timely basis to minimize mutual, harmful electromagnetic interference between DOE and DOD facilities. DOE is the primary user of the RF spectrum in the State of Nevada for the rectangular area bounded on the north by 38 degrees North Lat; on the South by 36 degrees, 30 minutes North Lat; on the East by 114 degrees, 30 minutes West Long; on the west by 117 degrees, 45 minutes West Long; and a 100-mile radius of the TTR centered at 37 degrees, 41 minutes North and 116 degrees, 41 minutes West, and has priority rights in this area on those RF assignments authorized as of July 1, 1974, in support of DOE operations. In these areas, DOD and DOE operations will be jointly coordinated on a timely basis to permit scheduling, frequency coordination, and potential interference problems to be resolved in order to ensure electromagnetic compatibility (EMC). DOE coordination within this area will be accomplished by:

(1) Maintaining current records of all RF assignments and providing the DOD AFC with a listing of such assignments at least monthly or as requested.

(2) Reviewing and evaluating all DOD AFC RF applications in a timely manner, providing written comments when necessary.

(3) Providing technical assistance and facilities upon request when necessary to resolve interference problems.

(4) Sharing EMC studies with the DOD AFC that are of common interest.

(5) Coordinating on all DOE RF applications with the DOD AFC prior to submitting such requests.

(6) Coordinating on Government non-military and non-Government RF applications and sharing such information with the DOD AFC when appropriate.

(7) Cooperating with the DOD AFC for time sharing or technical adjustments where appropriate.

(8) Acting as the central point of contact and control for all RF use in Nevada for assignments under DOE cognizance.

(9) Participating in all working groups, such as the Mojave Coordinating Group, or other groups involving Government and non-Government agencies that are organized to manage the RF spectrum and promote user compatibility.

b. The DOD AFC will be responsible for coordination of all DOD RF assignments within the DOD primary area of operations defined in paragraph 2 that may impact in any way on DOE operations in the DOE primary area of operation as defined in paragraph 4a with the DOE AFC. DOD coordination within this area will be accomplished by:

(1) Maintaining current records of all RF assignments and providing the DOE AFC with a listing as needed.

(2) Reviewing and evaluating all DOE RF applications in a timely manner, providing written comments when necessary.

(3) Providing technical assistance and facilities upon request when necessary to resolve interference problems.

(4) Sharing EMC studies with the DOE AFC that are of common interest.

(5) Coordinating all DOD RF applications with the DOE AFC prior to submitting such requests.

(6) Cooperating with the DOE AFC for time sharing or technical adjustments where appropriate.

(7) Acting as the central point of contact and control for all RF use in Southern Nevada for DOD use of the spectrum.

(8) Providing a interface between the DOE AFC and other military organizations that operate within the DOD area of responsibility that do not have a direct point of contact.

(9) Acting as the point of contact to the DOE AFC for Range Control Operations to effect STOP BUZZER requests.

(10) Providing to the DOE AFC the appropriate DOD AFC functions, such as the Aeronautical Flight Test Radio Coordination Council agent, that are appropriate.

5. COORDINATION PROCEDURES.

a. Realtime, locally-developed, field-level coordination procedures between the DOD AFC and the DOE AFC will be in accordance with guidance provided in this agreement. It is recognized that from time to time military manpower shortages may present the need to modify local coordination procedures; however, this should only be done after consultation between both parties.

b. The DOD and DOE AFCs will provide protection to each other's RF assignments, present and future, within the State of Nevada and will protect receive frequencies that are listed and known.

c. RF assignments for use by either DOE or DOD within the common geographical area herein defined that could cause harmful interference to the other's operations shall bear an appropriate coordination note.

6. EFFECTIVE PERIOD. This agreement updates any existing DOE/AF MOU and is effective upon signature by the DOE and the AF Interdepartment Radio Advisory Committee (IRAC) representatives. It shall continue in effect until modified, canceled in writing, or otherwise mutually terminated or modified, or as directed by higher authority.

/signed/

R.M. Lewis
IRAC Representative
Department of Energy

Date: August 28, 1990

/signed/

Dean L. Baerwald
USAF IRAC Representative

Date: 24 Aug 90

Note: Original AEC/AF MOU signed by R. H. Simmons and P. W. Clepper on April 2, 1974. Update of ERDA/AF MOU signed by R. H. Simmons and R. M. Lewis on April 22, 1976.

Memorandum of Understanding

Between the

Department of the Interior

and

Department of Energy

SPECTRUM PRIORITY OF SHARED MICROWAVE SYSTEMS DURING WAR EMERGENCIES

Introduction:

The power marketing administrations within the Department of Energy (DOE) and the power generation segment of the Bureau of Reclamation, Department of the Interior (DOI), share their telecommunications facilities to support mandated missions where feasible. Although sharing of telecommunications facilities is encouraged, several of these joint telecommunications networks support war emergency functions. Accordingly, a mechanism is required to adequately identify and protect these shared systems equally. The Interdepartment Radio Advisory Committee (IRAC) has established Ad Hoc 134 to review and update the Emergency Readiness Plan (ERP) for the Use of the Radio Spectrum in conformance with National Security Decision Directives 47 and 97. The purpose of this Memorandum of Understanding (MOU) is to establish procedures to be followed in designating a common Spectrum Priority Index (SPI) for shared DOE/DOI microwave systems in the event the War Emergency Powers of the President are invoked.

Background:

During 1982 the DOE Western Area Power Administration and the DOI Bureau of Reclamation signed an agreement for the procurement, installation, operation, and use of a joint use microwave system along the lower Colorado River. Subsequently DOE and DOI submitted the system to the Spectrum Planning Subcommittee (SPS) of the IRAC to receive spectrum assurance. The SPS noted during the approval process that conflicting spectrum requirements during wartime and national emergencies had not been identified nor resolved by DOI, recommending that these issues be specifically addressed. This MOU ascertains that essential functions of both departments, as defined in Executive Order No. 11490, as amended, will be embodied in the Emergency Readiness Plan (ERP) by providing identical SPI's for telecommunications systems supporting both power generation and power transmission functions commensurate with their importance to vital national security interests.

Terms of Agreement:

a. This agreement becomes effective immediately following signature by both departments. It is mutually agreed by the DOE and DOI that the Spectrum Priority Index (SPI) associated with shared Microwave Systems will be based upon the highest priority of the essential function(s) supportable by either agency. Further, the agency with the frequency management responsibility i.e., an authorized radio frequency assignment, must ensure that the Emergency Readiness Plan (ERP) designates an equivalent SPI upon request of the other party, with the provision that the requesting agency supply the necessary justification through the approving authority.

b. Revision or modification of an SPI in the ERP may be made by either party in accordance with this MOU, using procedures authorized by the approving authority as either telecommunications system architecture or mission requirements change.

c. The responsibilities under this agreement will be coordinated between the DOE and DOI IRAC representatives in conjunction with their respective field offices or bureaus. The respective representatives will determine the appropriate SPI for each shared system and initiate action as mutually agreed upon within the IRAC forum.

d. This MOU may be modified or amended by written agreement between DOE and DOI. Should either agency foresee a unilateral need to terminate this agreement, at least ninety days written notice must be given.

/signed/ 9-10-84
Oscar W. Mueller, Jr. Date
Director, Office of Information
Resources Management
Department of the Interior

/signed/ 10-11-84
John W. Polk, Director Date
Office of Computer Services and
Telecommunications Management
Department of Energy

FOR INFORMATION

Doc. 27288/1-2.8.2.1/4.24/6.6
Ref. Doc..26177/1-2.8.2.1/4.24/6.6
FAS ADM 910029/1

05/01/91

MEMORANDUM OF UNDERSTANDING OF THE PURPOSE, REQUIREMENTS, AND PROCEDURES FOR A POWER LINE CARRIER NOTIFICATION ACTIVITY BETWEEN THE FEDERAL COMMUNICATIONS COMMISSION, NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION, AND UTILITIES TELECOMMUNICATIONS COUNCIL

REFERENCE IRAC DOC. 26177
APPROVED DECEMBER 13, 1988
[REVISED MAY l, 1991]

PARTIES

The parties to this Memorandum of Understanding are the Federal Communications Commission (FCC), the National Telecommunications and Information Administration (NTIA), and the Utilities Telecommunications Council (UTC). UTC is acting on behalf of the power line carrier users.

PURPOSE

The purpose of the Power Line Carrier (PLC) Notification Activity, which will be called the "Activity," is to establish and maintain a transmission Power Line Carrier Data Base (LUDB) which will provide the information necessary for the identification and notification of potential interference between PLC and LU facilities. This Activity in General Docket 82-9 relative to PLC operation in the 10-490 kHz band.

DATA BASE REQUIREMENTS

Establishment of Notification Activity Location

UTC has been designated to serve as the entity responsible for implementing the Activity. The address of UTC is:

Utilities Telecommunications Council

1620 Eye Street, N.W., Suite 515

Washington, D.C. 20006

Information Security and Security Clearances

All necessary facility and personnel government security clearances will be provided to NTIA. Licensed user information provided by NTIA to UTC shall not be released outside the PLC user community and shall be used only for spectrum management and spectrum coordination purposes.

Establishment of PLCDB

All PLC users shall complete the approved Power Line Carrier Data Base (PLCDB) request forms and submit this information, relating to all PLC facilities operating over transmission lines in the 10-490 kHz band, to UTC. Exceptionally, federal government PLC users shall submit this information to UTC through their

respective IRAC representative in a manner suitable to both UTC and the IRAC representative. UTC will incorporate this information into the PLCDB. UTC requires that this information be sent on computer diskette or magnetic tape. UTC shall not be held responsible for any information that the PLC users fail to provide.

Establishment of the LUDB

NTIA will provide UTC with a computer tape containing pertinent information on existing licensed radio and radio-navigation facilities (Licensed User) in the 10-490 kHz band. UTC will incorporate this information into the LUDB. UTC will not be responsible for any information that NTIA fails to provide.

Updates and Changes to PLCDB

UTC will receive updates and changes from the users and potential users of PLC facilities at least annually and will enter this information into the PLCDB.

Updates and Changes to LUDB

NTIA will make available to UTC on a monthly or more frequent basis notification of: new licenses, modifications of frequency assignments, deletions and licenses that have expired. UTC will enter this information into the LUDB.

Availability of PLCDB Data

UTC will provide an update of the PLCDB to NTIA and FAS representatives on a quarterly basis. Updated information will be put on microfiche or diskette and be mailed by UTC directly to concerned IRAC-FAS representatives. The microfiches will bear the marking that the PLC data contained therein is "commercial confidential" information. The NTIA Frequency Assignment Branch will indicate the number of microfiche copies (up to three) required by each representative as well as provide the appropriate mailing addresses. FAA regional offices may each receive an individual copy as required for coordination. PLC user information provided by UTC to licensed users is "commercial confidential" information for purposes of a Freedom of Information Act request from a non-licensed user. The PLC data provided by UTC to licensed users shall be released only to other licensed users or to their federally contracted supporting entities and shall be used only for spectrum management and coordination purposes. However, in the band 70-130 kHz, PLC user

information may be released by the federal agencies to established LORAN-C user groups for the purpose of evaluating potential interference to the LORAN-C system. UTC will provide a set of microfiche of PLC user information in this band for this purpose.

Liability

The parties to this Memorandum are not liable for any adverse consequences arising from the use of the PLCDB, the LUDB, or the Activity.

PROCEDURE

PROCESSING LU NOTIFICATIONS

Search PLCDB

Upon the receipt of a radio or radio-navigation frequency assignment notification from NTIA, UTC will enter the information in the LUDB and search the PLCDB to identify all PLC facilities that may fall within interference range of the applicant's radio transmitter. It is understood that the notification will contain the necessary information to accurately describe the licensed facility.

Potential Interference Between Non-Classified LU and PLC User

Should potential interference between a non-classified LU and PLC user be predicted, UTC's sole responsibility will be to send a copy of the non-classified LU notification to the affected PLC user(s) along with the name, address, and telephone number of the designated person on the Interdepartment Radio Advisory Committee's (IRAC) Frequency Assignment Subcommittee (FAS) to contact concerning the notification. The burden of corrective action to avoid interference from the radio or radio-navigation applicant's transmitter is upon the affected PLC user. The PLC user is expected to contact the designated IRAC-FAS representative to endeavor to develop an arrangement to minimize or avoid the interference. The IRAC-FAS representative may recommend that the PLC user contact a regional federal representative.

Potential Interference Between Aeronautical Beacon and PLC User

If potential interference between a PLC user and an aeronautical beacon applicant is predicted, the affected PLC system will contact the Federal Aviation Administration (FAA) FAS representative, irrespective of which government agency applied for the frequency, to endeavor to develop an arrangement to

minimize or avoid the interference. The FAA representative may recommend that the PLC user contact a regional FAA representative.

Potential Interference Between Marine Nondirectional Beacons, or LORAN-C Radio Navigational Systems and PLC Users

If potential interference between a PLC user and a marine nondirectional beacon or LORAN-C radio navigational system applicant is predicted, the affected PLC system will contact the U.S. Coast Guard FAS representative, irrespective of which government agency applied for the frequency, to endeavor to develop an arrangement to minimize or avoid the interference.

Potential Interference Between Classified LU and PLC User

Should potential interference between a classified LU and PLC user be predicted, UTC will supply the unclassified serial number that identifies the LU record to the designated IRAC-FAC representative concerning the application. UTC's sole responsibility will be this notification. UTC will not make such classified information available to any other parties.

PROCESSING PLC ADDITION OR MODIFICATION REQUEST

Search LUDB

Upon the receipt of a PLCDB request form from a PLC user or potential user proposing a new facility or modification, UTC will search the LUDB to identify all LU facilities that may fall within interference range of the PLC facility.

Potential Interference Between Non-Classified LU and PLC User

Should potential interference between a non-classified LU and PLC user be predicted, UTC's sole responsibility will be to send the LUC information from the LUDB to the affected PLC user(s) along with the name, address, and telephone number of the designated person on the IRAC-FAS to contact concerning the notification. The burden of further action to avoid interference from the radio or radio-navigation applicant's transmitter is upon the affected PLC user. The PLC user is expected to contact the designated IRAC-FAC representative to endeavor to develop an arrangement to mitigate the interference. The IRAC-FAC representative may recommend that the PLC user contact a regional federal representative.

Potential Interference Between Classified LU and PLC User

Should potential interference between a classified LU and PLC user be predicted, UTC will supply the unclassified serial number that identifies the LUC record to the designated IRAC-FAS representative concerning the proposed PLC facility. UTC's sole responsibility will be this notification. UTC will not make such classified information available to any other parties.

OTHER REQUIREMENTS

Action to be Taken When No Potential Interference is Predicted

Upon the receipt of a PLCDB request form from a PLC user for a proposed new or modified PLC facility and if, after searching the PLCDB and LUDB, no potential interference is predicted UTC will so notify the PLC user and forward a copy of the PLCDB request form to the Chairman of FAS at NTIA. NTIA will, in turn, place these notification actions on the IRAC-FAS agenda for informational purposes.

Update of PLCDB Upon Confirmation of New PLC Facility

Upon receipt of confirmation from a PLC user that a proposed facility or change has been placed in service, UTC will enter the appropriate information into the PLCDB.

Action To Be Taken When Previously Predicted Potential

Interference Problems Have Been Satisfactorily Resolved

Upon receipt of a PLCDB request form from a PLC user for a proposed new or modified PLC facility that was previously submitted, and it had been determined that there was a potential interference problem, if information accompanying the form confirms that the problem has now been satisfactorily resolved, UTC will forward a copy of the PLCDB request form with this information to the Chairman of the FAS at NTIA. NTIA will, in turn, place these notification actions on the IRAC-FAS agenda for informational purposes.

THE FOLLOWING PARTIES HAVE READ THE FOREGOING MEMORANDUM OF UNDERSTANDING AND AGREE TO ABIDE BY ITS PROVISIONS. CHANGES MAY BE MADE TO THESE PROCEDURES UPON AGREEMENT IN WRITING BY ALL PARTIES.

/signed/

William Torak
Federal Communications Commission

Date: 4/17/91

/signed/

Robert Taunton
President
UTC

Date: 3/6/91

/signed/

William D. Gamble
National Telecommunications and Information Administration

Date: 4-16-91

Date:

General Services Administration
Information Resources Management Service
Washington, DC 20405

Nov 7 1988

Mr. Harry L. Peebles
Director of Administration
Department of Energy
Washington, DC 20585

Dear Mr. Peebles:

This is in reference to our May 6, 1988 letter, in which we advised you of our plan to reevaluate the Department of Energy (DOE) exception from the Federal Information Resources Management Regulation (FIRMR) for telecommunication activities as a successor agency to the Atomic Energy Commission (AEC) in accordance with the statement of understanding between AEC and General Services Administration (GSA), dated April 29, 1969.

Based on the information contained in your letters of July 27, 1988 and October 4, 1988, we are granting an exception to the use of the GSA Local Telecommunications Service Program and the GSA Federal Telecommunications System (FTS) intercity network (including FTS 2000). This exception is based on DOE's unique mission needs, related to the five Power Administrations; and DOE's critical Weapons Mission requirements, respectively, for the:

(1) Control, monitoring, operation, and maintenance of the power transmission systems to ensure safe, reliable and efficient operation during ongoing and emergency power system activities.

(2) Maintenance of the capability to immediately deploy, implement, and operate the emergency telecommunications for the control, design, development, manufacture, assembly and test facilities of the DOE's defense, energy, and scientific programs.

This exception applies only to the above nonadministrative, noncommon use of operational telecommunication requirements. This exception will remain in effect as long as these unique requirements exist, unless rescinded. This exception also serves as an approval of major telecommunications changes under the FIRMR for these requirements; therefore, additional requests to GSA for approval of telecommunication major changes for these requirements are not necessary.

This approved exception does not provide a delegation of procurement authority (DPA), nor does it exempt the DOE from complying with all related FIRMR provisions and other regulations.

Further reference to this matter should cite case number GC-88-0014. Questions may be addressed to Mr. Paul W. Jones of the Authorizations Branch at (202) 566-1566.

Sincerely,

/signed/

Francis A. McDonough
Deputy Commissioner for
Federal Information
Resources Management

MEMORANDUM OF UNDERSTANDING GOVERNING PROCEDURES TO BE USED BY THE U.S. DEPARTMENT OF ENERGY AND THE DEPARTMENT OF ARMY FOR RADIO FREQUENCY COORDINATION IN THE STATE OF NEW MEXICO

1. PURPOSE. The purpose of this Memorandum of Understanding (MOU) is to provide procedures for coordination of radio frequencies prior to assignment and for operations after assignment between the Department of Energy (DOE) and the Department of Army for operations in the State of New Mexico.

2. BACKGROUND. The Military Communications-Electronics Board (MCEB) has established a standard frequency coordination system within the Department of Defense (DOD), to be employed at national and service test ranges. In this regard, the MCEB has established a DOD (U.S. Army position) Area Frequency Coordinator (AFC) at the White Sands Missile Range (WSMR DOD AFC)[1] for portions of Colorado, Texas, Utah, and the entire State of New Mexico. This MOU will only apply to the State of New Mexico. DOE has major test facilities at the Sandia National Laboratory in Albuquerque and at the Los Alamos National Laboratory in the Los Alamos. The DOE Albuquerque Operations Office (DOE/AL)[2] serves as the DOE Frequency Coordinator for DOE operations in the State of New Mexico. The AFC system, by means of coordination techniques, is intended to minimize mutual, harmful electromagnetic interference and avoid frequency spectrum conflicts in areas of intensified spectrum usage. Effective coordination requires that the parties involved act together in a smooth, concerted way to provide the best solution to prevent operations from interfering with each other with the least expense and effort to the Government.

3. COORDINATION ON RADIO FREQUENCY ASSIGNMENTS AND USES.

a. DOE/AL will coordinate with the WSMR DOD AFC on all Radio Frequency (RF) requests that may in any way impact DOE operations at the WSMR and for any request within the State of New Mexico that may impact a DOD operation. This coordination will be routinely done by telephone; and, only in special cases such as formal proposals, should paperwork be necessary.

(1) The coordination comments and any coordination notes that apply will be shown as Frequency Assignment Subcommittee notes on the DOE RF request. A copy of the request form will be sent to the WSMR DOD AFC.

[1] DOD Area Frequency Coordinator, White Sands Missile Range, New Mexico 88002-5526

[2] U.S. Department of Energy, Albuquerque Operations Office, Information Management Division, P.O. Box 5400, Albuquerque, New Mexico 87115

(2) The DOE/AL Spectrum Manager will be responsible for coordination of all DOE/AL RF assignment requests with the WSMR DOD AFC.

b. DOE/AL will notify the WSMR Scheduling Office and the WSMR DOD AFC before the operation of any RF equipment on the WSMR. This also applies to the operation of RF equipment that is operated outside the WSMR boundaries but with the intention of transmitting towards WSMR in support of a test on the range.

(1) DOE/AL has priority rights, but not exclusive rights, for the use of assigned frequencies in the 1435-1535 MHz and 2200-2290 MHz bands at Albuquerque. The WSMR DOD AFC will notify DOE/AL of any possible conflict as a result of ground or air operations in these bands.

(2) If it becomes necessary to schedule operations in the 1435-1535 and 2200-2290 MHz bands in New Mexico, the WSMR DOD AFC will assume this responsibility.

c. In the event interference occurs between DOE/AL operations and another user under the control of WSMR DOD AFC in New Mexico, each agency will provide available technical assistance and facilities that are necessary to resolve the interference. The DOE/AL Spectrum Manager will act as the point of contact for all matters involving RF interference in the State of New Mexico for frequencies under DOE/AL cognizance.

4. COORDINATION PROCEDURES. Realtime, locally developed field level coordination procedures between the WSMR DOD AFC and DOD/AL will be in accordance with the guidance provided in this agreement.

a. DOE/AL operations will be in accordance with all WSMR DOD AFC operating procedures for those areas that are generally accepted as DOD AFC responsibilities.

b. The WSMR DOD AFC will provide to DOE/AL appropriate service, such as Aeronautical Flight Test Radio Coordination Council coordination, etc.

5. EFFECTIVE PERIOD. This agreement updates an existing MOU signed February 13, 1976, and is effective upon signature by the DOE and the Department of Army Interdepartment Radio Advisory Committee (IRAC)

representatives. It shall continue in effect until modified, canceled in writing, or otherwise mutually terminated or modified, or as directed by higher authority.

/signed/
Robert M. Lewis
IRAC Representative
Department of Energy

Date: May 21, 1990

/signed/
Earl J. Holliman
Army IRAC Representative

Date: 15 May 1990

MEMORANDUM OF UNDERSTANDING
BETWEEN THE DEPARTMENT OF ENERGY AND THE DEPARTMENT OF DEFENSE REGARDING THE USE OF RADIO FREQUENCIES IN THE 225-400 MHz BAND IN SUPPORT OF SAFEGUARD C RELATING TO THE LIMITED TEST BAN TREATY

1. PURPOSE. This MOU updates and supersedes a similar 1976 MOU on this subject. This MOU provides for the continued use of frequencies in the 225-400 MHz band to conduct operational readiness training in support of Safeguard C relating to the Limited Test Ban Treaty (LTBT) of 1963.

2. BACKGROUND. The Department of Defense (DOD) and the Department of Energy (DOE) are committed to protect the options of the National Command Authorities in supporting Safeguard C relating to the above treaty. The Safeguard C essentially provides that the United States will maintain the basic capability to assume nuclear test activities if the United States ceases to be bound to the treaties prohibiting such test activities. Such support requires that a basic capability be maintained to implement nuclear testing in the atmosphere if the President directs that such testing is necessary. In implementing this support, DOE and DOD have shared responsibilities for various elements necessary to maintain the basic capability. Conducting scientific missions is the primary means utilized to maintain the capability to resume testing. For DOE, this involves field use of diagnostic aircraft, ground support facilities, and the testing of new techniques that are essential to the readiness of personnel and equipment.

3. SCOPE.

   a. The National Telecommunications and Information Administration National Table of Allocations limits the use of the 225-400 MHz band to the military. Because of the nature of the support and the constraints imposed by the operational and physical environment, the DOE mission can only be accomplished by use of frequencies in this band. Subject to the following provisions, DOE may use the mission associated with the LTBT:

230.4	248.6	259.7	370.0
232.9	252.4	293.0	384.0
239.4	257.0	315.1	384.8

   b. The DOE use of the above frequencies will be primarily at military test ranges, will be on a secondary basis to DOD operations, and will require coordination prior to such use. Operations in non-test-range areas will be NIB (on a non-interference basis) to DOD operations.

c. DOE is authorized to use these frequencies only for telemetry (below 260 MHz) or air-ground-air voice coordination between aircraft and ground control and only in support of the mission as described in this MOU. Use for any other purpose will be considered by DOD on a case-by-case basis.

d. The DOE Nevada Frequency Manager is responsible for any coordination required by DOE elements with elements of the USAF for the use of the above frequencies in the 225-400 MHz band. When coordinated and scheduled, frequency use by DOE elements will be protected during the operational readiness training period.

4. AMENDMENT AND TERMINATION. This MOU may be modified or amended by written agreement between DOE and DOD and terminated by mutual agreement or by either party upon a 365-day written notice to the other. An annual review will be conducted by both parties to determine the need to continue, modify, or terminate this agreement.

5. EFFECTIVE DATE: This MOU is effective when signed by both parties.

/signed/

John J. Nettles, Jr.
Director of Administration
and Human Resource management

Date: Feb 3 1992

/signed/

Duane P. Andrews
Assistant Secretary of Defense
Command, Control, Communications
and Intelligence

Date: 26 Aug 1991